

# **EXHIBIT “A”**

IN THE COURT OF COMMON PLEAS OF LACKAWANNA COUNTY,  
PENNSYLVANIA

EDWARD J. PLISKO, JR.  
1205 Springbrook Ave.  
Moosic, PA 18507

Plaintiff

CIVIL ACTION - LAW

VS.

UNITED STATES  
DEPARTMENT OF EDUCATION  
50 United Nations Plaza  
San Francisco, CA 94102

2019-CV-

5194

-and

UNIVERSITY OF THE SCIENCES  
600 S. 43<sup>rd</sup> Street  
Philadelphia, PA 19104

-and

Educational Credit Management Corporation  
PO Box 16408  
St. Paul, MN 55116

-and

AMERICAN EDUCATIONAL SERVICES  
CORPORATION  
Towne House, 660 Boas Street  
Harrisburg, PA 17102

Defendants

MAURI B. KELLY  
LACKAWANNA COUNTY

219 SEP - 4 A 10:10

CLERKS OF JUDICIAL  
RECORDS CIVIL DIVISION

NOTICE TO DEFEND

You have been sued in court. If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after the Complaint and notice are served, by entering a written appearance personally or by attorney and filing in writing with the

court your defenses or objections to the proceed without you and a judgment may be entered against you by the Court without further notice for any money claimed in the Complaint or for any other claim or relief requested by the Plaintiff. You may lose money or property or other rights important to you.

**YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OUR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP,**

Northern Pennsylvania Legal Services, Inc.  
108 N. Washington Ave, 12<sup>th</sup> Floor  
Scranton, PA 18503  
570-342-0184

Lawyer Referral Service  
Lackawanna County Bar Association  
338 N. Washington Ave.  
Scranton, PA 18503  
570-969-9161

**AVISO**

LE HAN DEMANDADO A USTED EN LA CORTE, SI DESEA DEFENDERSE CONTRA LAS QUEJAS PERSESENTADA, ES ABSOLUTAMENTE NECESSARIO QUE USTED RESPONDA DENTRO DE 20 DIAS DESPUES DE SER SERVIDO CON ESTA DEMANDA Y AVISO. PARA DEFENDERSE ES NECESSARIO QUE USTED, O SU ABOGADO, REGISTRE CON LA CORTE EN FORMA ESCRITA, EL PUNTO DE VISTA DE USTED Y CUALQUIER OBJECCION CONTRA LAS QUEJAS EN ESTA DEMANDA. RECUERDE: SI USTED NO RESPONDE A ESTA DEMANDA, SE PUEDE PROSEGUIR CON EL PROCESO SIN SU PARTICPACION. ENTONCES, LA COUTE PUEDE, SIN NOTIFICARIO, DECIDIR A FAVOR DEL DEMANDANTE Y REQUERIRA QUE USTED CUMPLA CO TODAS LAS PROVISIONES DE ESTA DEMANDA. POR PRAZON DE ESA DECISION, ES POSSIBLE QUE USTED PUEDE PERDER DINERO, PROPIEDAD U OTROS DERECHOS IMPORTANTES.

**LLEVE ESTA DEMANDA A UN ABOGADO IMMEDIATEMENTE. SE NO CONOCE A UN ABOGADO, LLAME AL "LAWYER REFERENCE SERVICE" (SERVICIO DE REFERENCIA DE ABOGADOS), 570-969-9161.**

Northern Pennsylvania Legal Services, Inc.  
108 N. Washington Ave, 12<sup>th</sup> Floor  
Scranton, PA 18503  
570-342-0184

Lawyer Referral Service  
Lackawanna County Bar Association  
338 N. Washington Ave.  
Scranton, PA 1850 570-969-9161

IN THE COURT OF COMMON PLEAS OF LACKAWANNA COUNTY,  
PENNSYLVANIA

EDWARD J. PLISKO, JR.  
1205 Springbrook Ave.  
Moosic, PA 18507

Plaintiff

CIVIL ACTION - LAW

VS.

UNITED STATES  
DEPARTMENT OF EDUCATION  
50 United Nations Plaza  
San Francisco, CA 94102

2019-CV-

5194

-and

UNIVERSITY OF THE SCIENCES  
600 S. 43<sup>rd</sup> Street  
Philadelphia, PA 19104

-and  
Educational Credit Management Corporation  
PO Box 16408  
St. Paul, MN 55116

MAURICE KELLY  
LACKAWANNA COUNTY  
CLERKS OF JUDICIAL  
RECORDS CIVIL DIVISION

-and  
AMERICAN EDUCATIONAL SERVICES  
CORPORATION  
Towne House, 660 Boas Street  
Harrisburg, PA 17102

Defendants

ACTION FOR DECLATORY JUDGMENT

AND NOW comes Your Plaintiff, Edward J. Plisko, Jr., through counsel, Jonathan Olivetti, Esq.,

and hereby requests declaratory judgment pursuant to Pa.R.C.P. 1601, et seq. and 42 Pa.C.S. § 7531 et seq., and in support of his claim avers as follows:

1. Plaintiff Edward J. Plisko ("Edward") is a competent adult individual residing at 1205 Springbrook Avenue, Moosic, PA 18507.

2. Defendant United States Department of Education ("DOE") is a department of the United States government responsible for, without limitation, the administration of grant and loan applications for higher education student borrowers. It has a business office located at 50 United Nations Plaza, San Francisco, Ca 94107.

3. Defendant University of the Sciences ("UoS") is a private university authorized to participate in the federal student loan program. It has a business address located at 600 S. 43<sup>rd</sup> Street, Philadelphia, PA 19104. Its financial aid office is located in Griffith Hall, Room 100.

4. Defendant Educational Credit Management Corporation ("ECMC") is a Minnesota non-profit corporation engaged in the business of, without limitation, student loan collection. It has a business address located at 111 Washington Avenue South, Suite 1400, Minneapolis, MN 55401.

5. Defendant American Educational Services ("AES") is a Pennsylvania not for profit corporation and, to the best of Plaintiff's knowledge, information and belief, a branch of subsidiary of Pennsylvania Higher Educational Assistance Agency ("PHEAA"), which, without limitation, services and guarantees student loans for lending partners throughout the nation. It has a mailing address at PO Box 61047, Harrisburg, PA 17106.

6. DOE, ECMC, AES and UoS are named as Defendants pursuant to 42 Pa.C.S. §7540, which requires that all persons who have a claim or any interest which would be affected by the declaration (declaratory judgment) to be made parties to the proceeding.

7. Edward is the father of Jessica Plisko ("Jessica").

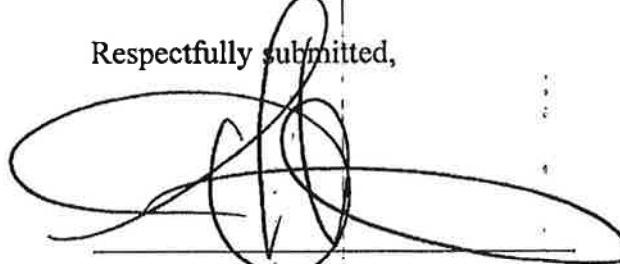
8. Sometime in or about 2006, Jessica applied for admission to UoS for an undergraduate secondary education.

9. On or about June 23, 2006, a Federal PLUS Loan Application and Master Promissory Note ("Note") was allegedly executed by Edward, purportedly to borrow federal funds for a student loan for Jessica to attend the UoS. A redacted copy of said Note is attached hereto as Exhibit "A" and is hereby incorporated by reference.

10. Edward denies he has ever seen said Note/application, has ever signed said Note/application, and that to the extent his name is signed on said Note, that it is forged.

WHEREFORE, Plaintiff requests an Order declaring the signature contained on the Parent Plus Note as forged, or otherwise not having been made by Edward J. Plisko, Jr.

Respectfully submitted,



Jonathan Olivetti, Esq.  
Attorney for Plaintiff  
1438 N. 7<sup>th</sup> St., Unit 2  
Philadelphia, PA 19122  
(570) 561-0644  
jeo@olivettilawfirm.com

**EXHIBIT "A"**

## DOCUMENT FORM

Case Records Public Access Policy of the Unified Judicial System of Pennsylvania

204 Pa. Code § 213.81

[www.pacourts.us/public-records](http://www.pacourts.us/public-records)

Edward J. Plisko, Jr.  
 (Party name as displayed in case caption)

2019-CV-  
 Docket/Case No. 5194

Vs.

United States Dept. of Education  
 (Party name as displayed in case caption)

Common Pleas of Lackawanna Cty.  
 Court

This form is associated with the pleading titled Action for Declaratory Jgmt., dated Aug. 2019.

Pursuant to the *Case Records Public Access Policy of the Unified Judicial System of Pennsylvania*, the Confidential Document Form shall accompany a filing where a confidential document is required by law, ordered by the court, or is otherwise necessary to effect the disposition of a matter. This form shall be accessible to the public, however the documents attached shall not be publicly accessible, except as ordered by a court. The documents attached will be available to the parties, counsel of record, the court, and the custodian. Please only attach documents necessary for the purposes of this case. Complete the entire form and check all that apply. This form and any additional pages must be served on all unrepresented parties and counsel of record.

Type of Confidential Document	Paragraph, page, etc. where the confidential document is referenced in the filing:
<input checked="" type="checkbox"/> Financial Source Documents	
<input type="checkbox"/> Tax Returns and schedules	
<input type="checkbox"/> W-2 forms and schedules including 1099 forms or similar documents	
<input type="checkbox"/> Wage stubs, earning statements, or other similar documents	
<input type="checkbox"/> Credit card statements	
<input checked="" type="checkbox"/> Financial institution statements (e.g., investment/bank statements)	Paragraph 9
<input type="checkbox"/> Check registers	
<input type="checkbox"/> Checks or equivalent	
<input checked="" type="checkbox"/> Loan application documents	Paragraph 9
<input type="checkbox"/> Minors' educational records	
<input type="checkbox"/> Medical/Psychological records	
<input type="checkbox"/> Children and Youth Services' records	
<input type="checkbox"/> Marital Property Inventory and Pre-Trial Statement as provided in Pa.R.C.P. No. 1920.33	
<input type="checkbox"/> Income and Expense Statement as provided in Pa.R.C.P. No. 1910.27(c)	
<input type="checkbox"/> Agreements between the parties as used in 23 Pa.C.S. §3105	

I certify that this filing complies with the provisions of the *Case Records Public Access Policy of the Unified Judicial System of Pennsylvania* that require filing confidential information and documents differently than non-confidential information and documents

Signature of Attorney or Unrepresented Party

Name: Jonathan Olivetti, Esq.

Address: 1438 N 7th St Suite 2

Philadelphia PA 19122

08/20/20

Date

Attorney Number: (if applicable) 206603

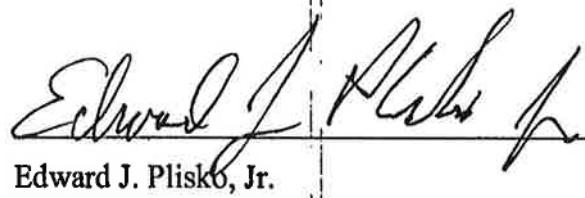
Telephone: (570) 561-0644

Email: jeo@olivettlawfirm.com

**VERIFICATION**

I verify that the facts set forth in this pleading are true and correct to the best of my knowledge, information and belief. I understand that false statements contained in a pleading are considered to be unsworn falsifications to authorities and are subject to the penalties for that crime set forth in 18 Pa.C.S. §4904, Pennsylvania Crimes Code.

**DATE:** \_\_\_\_\_



The image shows a handwritten signature in black ink. The signature appears to read "Edward J. Plisk Jr." It is written in a cursive style with some variations in letter height and stroke thickness.

Edward J. Plisk Jr.